

OCCUPY A BUILDING OR SPACE (TAB)

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Fee Schedule (obtain from the One-Stop or at www.sanantonio.gov)

OCCUPY A BUILDING OR SPACE

Certificates of Occupancy

A Certificate of Occupancy is required for all uses, including nonconforming uses as required by the UDC, with the exception of single family dwellings, registered family homes and group day-care homes. The Director of Development Services maintains a record of all Certificates of Occupancy.

Steps to Certificate of Occupancy Issuance

1. With your application for Certificate of Occupancy, include the correct address and suite number or building number, name of the business owner and name of the business and post the address in a conspicuous location.
2. Make the proposed place of business available for inspections between the hours of 8:30 am and 4:00 pm.
3. Correct all disapprovals prior to calling for reinsertion.
4. Post approval status envelop in conspicuous place for inspection slips.
5. Pay reinspection fees upon completion and approval of all inspections and a valid certificate of occupancy will be issued.

Certificate Of Occupancy

An application for a certificate of occupancy may be made on the 9th floor of the Municipal Plaza Building located at 114 W. Commerce. Information required is the correct address and suite # or building number if applicable, the owner of the business and the name of the business (Doing Business As or DBA).

Chapter 1, Section 109.1 of the 1997 Uniform Building Code prohibits any commercial structure or building from being used or occupied until a Certificate of Occupancy has been issued.

1. Upon application for a certificate of occupancy, ensure that the address is posted in a conspicuous manner so that the number may be easily seen from the opposite side of the street.
2. Please note: depending on your type of business, up to eight inspectors may inspect your premises. Inspections to be performed will be building, electrical, sign, mechanical, plumbing, fire and Texas Accessibility Standards. Only when applicable: Health and Edwards Recharge (SAWS) may also inspect. If inspections are not made on the appointed day, applicant will be contacted by telephone by the applicable inspector(s) to reschedule.
3. Please ensure that the proposed place of business is open for inspections between the hours of 7:45 am – 4:30 pm. A reinspection fee of \$25.75 shall be charged if inspectors are not able to make scheduled inspections due to the building being locked.
4. All disapprovals must be corrected. As each type of correction is made, call for re-inspections at 207-8250. For fire, call 207-8410. However, you must ensure that the correction has been completed prior to calling for a reinspection. If the required correction has not been completed, a \$25.75 reinspection fee may be charged.

Licensed and bonded contractors with applicable permits must perform all electrical, mechanical and plumbing work, and erection of signs or changes to an existing sign face.

5. An envelope will be provided to you and it is to be posted in a “conspicuous place” so that inspectors can indicate approval/disapproval status. Each inspector will leave a copy of his/her inspection slip in the envelope.

Upon completion and approval of all inspections and payment of reinspection fees, if any, a valid certificate of occupancy shall be issued. City Public Service will be notified to release the applicable utilities.

Be advised that if the gas meter has been disconnected for a period of 90 days or more, City Public Service shall require that a gas test be performed by a licensed and bonded plumber. A permit and an approved inspection are required prior to the release of the gas meter.

Note: applications for certificates of occupancy shall be cancelled six months from the date of issuance if corrections on disapprovals have not been completed and approved.

For information on certificates of occupancy contact central records at 207-8211. Hours of operation are Monday-Friday, 7:45am – 4:30 pm.

Automatic Certificate of Occupancy

On new construction, automatic certificates of occupancy are issued when

- (1) All applicable permits are secured i.e. building, electrical, mechanical, plumbing and sign
- (2) The use of the building is identified in the plans and permits
- (3) All inspections have been performed and approved

Businesses that will serve alcoholic beverages will be issued an automatic certificate of occupancy only if such was stated when the original plans was submitted.

Businesses that may be considered as sexually oriented businesses, but are not or will not be sexually oriented businesses will require a notarized affidavit to the fact. Examples of such businesses include: video stores, bookstores, art galleries, massage parlors and bars/lounges.

Warehouses shall be issued an automatic certificate of occupancy only when the category of warehouse is identified on the building permit, as some uses may have specific fire rating requirements. If what is being stored in the warehouse is not identified, then a certificate of occupancy must be applied for.

Remodeling and completions on interior lease space shall be issued automatic certificates of occupancy only when

- (1) Electrical, plumbing and mechanical permits are secured in conjunction with the building permit
- (2) The use of the building is identified
- (3) All inspections have been performed and approved (the shell building must have all pertinent approved inspections)

On shell buildings a letter of certification shall be issued, upon request, when all permits have been issued and all applicable inspections have been approved.

Prorated Certificate of Occupancy

On vacant buildings with the use identified in the plans and building permit and one other trade permit i.e. electrical, mechanical or plumbing was secured, the fee of \$171.60 will be prorated. Occupant/applicant will pay a fee of \$40.00 for each inspection that is not covered by a permit. When related inspections are approved, a certificate will be issued.

Businesses opening in mall walkways require building, electrical, and fire inspections. This service would be provided at the cost of \$80.00. Kiosks selling food items that are baked, fried or grilled require additional inspections that would be mechanical and health. This service would be provided at a cost of \$120.00.

Temporary Certificate of Occupancy

A temporary certificate of occupancy may be issued when all necessary permits have been obtained and all inspections preceding the final inspection are approved. All pending development and re-inspection fees must be paid prior to the issuance of the temporary certificate.

- (1) On those inspections that are not ready for final inspection, for whatever reason, it is the responsibility of the contractor(s) to request from the appropriate trade inspector an approval for a temporary certificate of occupancy. The inspector must indicate the number of days approved. If the number of days allowed by each inspector varies, then the lesser shall apply.
- (2) The applicant shall submit a notarized letter of intent on company letterhead once the temporary certificate is approved. This letter shall be addressed to the Development Services Department requesting a temporary certificate of occupancy for the number of days approved and addressing the items that are needed to secure a permanent certificate.
- (3) When the aforementioned are met, the applicant will submit the application and the notarized letter to Central Records. The supervisor will review the letter and if approved, the applicant will then proceed to the permit writers, pay the fee of \$234.00 and then pick up the temporary certificate of occupancy from Central Records.

The temporary certificate of occupancy will be put on a suspense file until the permanent certificate is issued or it expires, at which time the contractor is required to apply for an extension.

A temporary certificate of occupancy may also be issued when only a portion of a building is ready for occupancy i.e. floor, wing, section, phase, etc. If sidewalks, approaches or drainage are not complete, Public Works will issue a temporary certificate of occupancy for up to six months. The procedures that pertain to the temporary certificate of occupancy shall apply.

Temporary Certificate of Occupancy Extension

If the temporary certificate of occupancy expires and inspections are still pending, the applicant must request an extension:

- (1) The applicant is required to obtain approvals for the extension from the inspector(s) for the pending inspections and the number of days approved.
- (2) A notarized letter is required requesting the extension of the temporary certificate of occupancy and a fee of \$25.00 will apply
- (3) The letter will be submitted to Central Records and if approved another temporary certificate of occupancy shall be issued with the new expiration date.

Remember, this information is general in nature, there may be other requirements applicable to your individual project.

Continuing Obligations

Many permits for construction and operation of businesses require land owners to be responsible for maintenance and upkeep beyond the move-in or initial use date following final inspection or Certificate of Occupancy. These “Continuing Obligations” are described below.

Landscaping

General maintenance of landscaping set forth in section 35-6007 (d) states that “required plants must be maintained in a healthy condition at all times. The land owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning and other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that is compatible with the approved landscape plans within 90 days after notification by the City.”

Tree Preservation

Tree preservation requires the continued maintenance beyond issuance of the Certificate of Occupancy. Heritage, protected or mitigated trees must be maintained in a healthy condition at all times. The land owner is responsible for irrigating, fertilizing, pruning and other maintenance of all trees as needed. Mitigation trees that die within 12 months of final inspection are subject to the mitigation requirements as set forth in section 35-6112 and 35-6116 (b).

Special Use Permit (SUP) (Zoning)

As stated in Section 35.3285(e) of the City of San Antonio Unified Development Code, the Special Use Permit (SUP) stays with the land until the Zoning is changed or the use granted has been discontinued on the land for twelve months. If the City Council imposes any conditions on the SUP, it is the land owner’s responsibility to satisfy the conditions for the duration of the SUP. Violation of any condition of the SUP may be resolved by the Board of Adjustment and through judicial and/or administrative action by the City.

Drainage

Drawings and other material or criteria submitted to the Director of Public Works in applying for a drainage permit must be included with the permit, upon approval and issuance of the permit. In addition, all standards and requirements of this division and all factors listed in this division are relevant in approving or denying the permit and the terms of the permit. In addition to named materials that are required to be submitted when applying for such a permit, the Director of Public

Works may require additional submission in order to verify whether such a permit should be issued. The conditions and terms shall constitute a continuing obligation upon all future occupants or users of the land to the extent they are applicable after development has been completed.

Fire Protection Issues

1. Continued provision and maintenance of fire lanes
2. Change of use, operations or processes may be subject to further code review and requirements (see 97 UFC Section 106.3.4.2)
3. Revisions to approved plans must be submitted for review
4. Maintenance agreement for annual inspections for fire protection systems (see 1997 UFC Article 10)
5. Change of ownership – Each new owner or tenant is required to obtain a new Certificate of Occupancy from the Development Services Department.
6. Change of use, operation or process– If the existing tenant or a new tenant changes the use, operation or process for which the building was originally approved, it may be subject to additional code requirements for the code currently being enforced.

Extended Warranty Bond (35-501(f))

All subdivisions requiring streets and drainage improvements within the City of San Antonio and the Extraterritorial Jurisdiction are subject to a one (1) year maintenance bond.

Prior to acceptance of subdivision improvements, the developer must provide the City with an extended warranty bond, issued by a corporate surety company licensed to transact business in the State of Texas, to secure maintenance and repair of subdivision for the period ending at least twelve (12) months subsequent to acceptance of the subdivision improvements by the City.

Right-of-Way Use

Work conducted in any public right-of-way within the City of San Antonio is a continuing obligation of the contractor. For additional information, see the Right of Way Management Section of the Public Works Department.

Texas Accessibility Standards Compliance (35-501(e))

Continued provision of clear path-of-travel and maintenance of other accessibility components, e.g. door pressures, grab bars, etc. is required.

Certificates of Occupancy

This certificate must be prominently displayed on a continuous basis in a conspicuous location within the business.

Occupant Load Sign

If required, this sign must be prominently displayed on a continuous basis in a conspicuous location within the business.

